IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

WP(C).No. 27890 of 2007(T)

PETITIONER:

SHEEBA.S., D/O K.RAVEENDRAN,
PLAKKATTU HOUSE, MANAPPALLY NORTH P.O.,
KARUNAGAPPALLY, KOLLAM-690574.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, PERSONNEL AND ADMINISTRATIVE REFORMS(RULES)DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA PUBLIC SERVICE COMMISSION, PATTOM PALACE, THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY.

3. THE DISTRICT OFFICER, KERALA PUBLIC SERVICE COMMISSION, DISTRICT OFFICE, PATHANAMTHITTA.

BY ADV. SRI.ALEXANDER THOMAS,SC,KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.27890 of 2007 T

Dated this the 30th day of October, 2007.

JUDGMENT

The petitioner applied to the post of L.D.Typist, pursuant to the notification issued by the Public Service Commission, Ext.P4. One of the qualifications prescribed for the post is Lower Grade Certificate in English Typewriting (KGTE) or equivalent qualification and Computer Word Processing or equivalent. The petitioner does not possess the said qualification. The petitioner contends that instead, she had undergone a course in computer word processing. Ext.P1 shows that the petitioner was a student in Executive Development Package (MS-Office Package) in a course conducted by Lakhotia Computer Centre, Karunagappally during the academic year 2001. This, according to the

petitioner, must be treated as equivalent qualification.

2. I am unable to accept this submission. The notification prescribes the qualification in computer word processing. The course offered by another private centre, which may be similar to the course offered by the Department of Technical Education, cannot be considered as sufficient qualification in terms of the notification.

3. Learned counsel for the petitioner submits that subsequent to the notification, the Public Service Commission issued Exts.P8 and P9 orders. In Ext.P8, the Public Service Commission declared certain qualifications as equivalent to the prescribed qualification. In Ext.P8, it is stated that the courses in computer word processing offered by State or Central Government or Agencies or Societies

of State of Central Government or Universities shall be treated as sufficient qualification. In Ext.P9 dated 13.7.2007, the agencies or institutions, whose courses alone were to be treated as equivalent qualification for the purpose of notification were listed. Learned counsel for the petitioner submits that the Public Service Commission has no jurisdiction to declare any qualification as an equivalent qualification subsequent to the date of notification. He submits that if the Public Service Commission wanted to declare any qualification as equivalent, it should have been stressed in the notification itself.

4. Insofar as Ext.P8 is concerned, the validity of the said notification was upheld in W.P.(C)No.12356/07. As a matter of fact, by Ext.P8 all that was done by the

Public Service Commission is to specify which among the agencies or societies or the State or the Central Government or Universities that could be considered as competent to offer a course in computer word processing and which will be considered as equivalent for the purpose of the notification.

5. In my view, it is not necessary to consider the validity of Exts.P8 and P9 in this writ petition, inasmuch as the petitioner was only an aspirant to the post, and assuming that there is an irregular exercise of the power by the Public Service Commission in issuing Exts.P8 and P9, it does not bring in any benefit to the petitioner. After all, all that happened is that certain persons, who might have been included in the list on the premise that they are eligible for possessing a qualification in computer

word processing in terms of Exts.P8 and P9 may have to be removed therefrom. But it is not going to help the petitioner because, admittedly, the petitioner did not have the prescribed qualification on the last date of receipt of the application as as mentioned in the notification.

For all these reasons, I find no merit in this writ petition and therefore, the same is dismissed.

Sd/-
(V.GIRI)
JUDGE

sk/

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P.S. To Judge